IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE:	§	
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CHARLES P. COWIN	§	CASE NO. 10-31478
	§	(Chapter 11)
	§	
DEBTOR	§	
	§	
FEDERAL HOME LOAN MORTGAGE CORP.	§	
	§	
Movant	§	
	§	
	§	
CHARLES P. COWIN	§	
	§	
Debtor	§	

DEBTOR'S RESPONSE TO FEDERAL HOME LOAN MORTGAGE CORPORATION FOR ORDER TERMINATING AUTOMATIC STAY TO PERMIT FORCIBLE DETAINER TRIAL TO CONTINUE 1901 POST OAK BLVD UNIT 604 HOUSTON, TEXAS

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Comes now, Charles P. Cowin, Debtor (the "Debtor") and files this Response to the Motion For Relief from Automatic Stay (the "Motion") filed by Federal Home Loan Mortgage (the "Movant"), and in support thereof, would respectfully show this Court as follows:

- I. Debtor admits the allegations in Paragraph I of Movant's Motion.
- II. Chronological Background
- a. Debtor is without sufficient information to either admit or deny the allegation contained in Paragraph a of Movant's Motion. Therefore, for pleading purposes, the allegation is denied.
 - b. Debtor admits the allegations contained in Paragraph b of Movant's Motion.
 - c.. Debtor admits the allegations contained in paragraph c of Movant's Motion

- d. Debtor is without sufficient information to either admit or deny the allegation contained in Paragraph d of Movant's Motion. Therefore, for pleading purposes, the allegation is denied.
- e. Debtor is without sufficient information to either admit or deny the allegation contained in Paragraph e of Movant's Motion. Therefore, for pleading purposes, the allegation is denied.
 - f. Debtor admits the allegation contained in Paragraph f of Movant's Motion.

III. Causes

- 1. Debtor admits that Debtor did not own the Subject Property at the time the case was filed and that it is not property of the Debtor or his Bankruptcy estate. Debtor denies the remaining allegations in paragraph 1.
- 2. Debtor denies that any lease agreement Debtor may have had with Khyber Holdings has been terminated. For further answer, Debtor is currents in his lease with Khyber.

WHEREFORE, PREMISES CONSIDERED, Debtor prays that Movant's Motion for Relief from the Stay be denied and for such other and further relief to which he may be justly entitled.

Dated: March 30, 2010

Respectfully submitted,

FUQUA & ASSOCIATES, PC

BY: /s/ Richard L. Fuqua

Richard L. Fuqua State Bar No. 07552300

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COUNSEL FOR DEBTOR

CERTIFICATE OF CONFERENCE

I hereby certify that I have contacted Cristina Platon Camarata, Movant's counsel, in a good faith attempt to resolve the dispute which is the subject of Movant's Motion in an attempt to settle this matter. It is believed that the parties will settle this matter, however, as of this date, a hearing will be necessary.

/s/ Richard L. Fuqua Richard L. Fuqua

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Response to Motion for Relief from the Stay was forwarded by ECF and/or regular United States mail, postage prepaid, on March 30, 2010 to the parties listed below.

Cristina Platon Camarata, Esq. 310 Amber Lane League City, TX 77573

Jack O'Boyle & Associates PO Box 815369 Dallas, TX 77019

Office of the U.S. Trustee 515 Rusk, Suite 3516 Houston, TX 77002

/s/ Richard L. Fuqua
Richard L. Fuqua

 $F: \label{lem:condition} F: \label{lem:condition} Count, Chas \ 10-1295 \ ch \ 11 \\ \label{lem:condition} Response - Fed \ Home \ Loan \ 362. \\ wpd$